

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

AMAZON.COM SERVICES, LLC)
Petitioner/Cross-Respondent)
v.) No. 24-13819
NATIONAL LABOR RELATIONS BOARD) Board Case Nos. 29-CA-280153,
Respondent/Cross-Petitioner) 29-CA-286577, 29-CA-287614,
) 29-CA-290880, 29-CA-292392
) and 29-CA-295663
)

CERTIFICATE OF INTERESTED PERSONS

Pursuant to Eleventh Circuit Rule 26.1-1, the National Labor Relations Board (NLRB), by its Deputy Associate General Counsel, certifies that the persons and entities listed below have an interest in the outcome of this case.

1. Amazon.com, Inc. (NASDAQ: AMZN)
2. Amazon.com Sales, Inc.
3. Amazon.com Services LLC
4. Amazon Labor Union - Charging Party
5. Burdick, Ruth E. - Counsel for the NLRB
6. Cabrera, Emily - Regional Attorney, Region 29, NLRB
7. Cahn, Stephanie – Acting Deputy General Counsel, NLRB
8. Cowen, William B. – Acting General Counsel, NLRB
9. Elliker, Kevin of HAK - Counsel for Amazon

10. Enjamio, Juan C. of HAK – Counsel for Amazon
11. Green, Benjamin - Administrative Law Judge
12. Goldstein, Seth Lewis - Counsel for Charging Parties
13. Hunton Andrews Kurth LLP (“HAK”) - Counsel for Amazon
14. Jason, Meredith - Assistant General Counsel, NLRB
15. Jost, Micah - Counsel for the NLRB
16. Julien Mirer & Singla, PLLC - Counsel for Charging Parties
17. Kaplan, Marvin E. - Board Member, NLRB
18. Larkin, Kurt of HAK - Counsel for Amazon
19. Law Office of Seth Goldstein - Counsel for Charging Parties
20. Lin, Elbert of HAK - Counsel for Amazon
21. McFerran, Lauren M. - Chairman, NLRB
22. Miller, Dana Joanne - Charging Party
23. Mirer, Jeanne - Counsel for Charging Parties
24. National Labor Relations Board (NLRB) - Respondent/Cross-Petitioner
25. Ohr, Peter Sung - Associate General Counsel, NLRB
26. Poor, Teresa - Regional Director, NLRB Region 29
27. Prouty, David M. - Board Member, NLRB
28. Region 29 of the NLRB

29. Rogers, Amber of HAK - Counsel for Amazon
30. Singla, Retu - Counsel for Charging Parties
31. Spence, Connor - Charging Party
32. Tooker, Lynda – Regional Attorney, Region 29, NLRB
33. Vol, Kira Dellinger - Counsel for the NLRB
34. Wilcox, Gwynne A. - Board Member, NLRB

/s/ Ruth E. Burdick

Ruth E. Burdick

Deputy Associate General Counsel
NATIONAL LABOR RELATIONS BOARD
1015 Half Street, SE
Washington, DC 20570-0001
(202) 273-2960

Dated at Washington, DC
this 2nd day of May 2025

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NATIONAL LABOR RELATIONS BOARD)
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MOTION OF THE NATIONAL LABOR RELATIONS BOARD TO SUSPEND BRIEFING SCHEDULE

To the Honorable, the Judges of the United States
Court of Appeals for the Eleventh Circuit:

The National Labor Relations Board (“the Board”), by its Deputy Associate General Counsel, respectfully submits this motion to suspend the briefing schedule pending resolution of the Board’s concurrently filed motion to strike.

1. This case is before the Court on Amazon.com Services LLC’s (“Amazon”) petition for review and the Board’s cross-application to enforce a Board Order reported at 373 NLRB No. 136 (2024). That Order remedies several unfair labor practices that the Board found Amazon to have committed. It dismisses other allegations against Amazon, including allegations that Amazon

unlawfully required employees to attend mandatory meetings concerning unionization.

2. Amazon filed its opening brief on March 12, 2025. Amici Chamber of Commerce of the United States of America et al. filed a brief on March 19. As discussed in the Board's motion to strike, those briefs principally address a new, prospective standard for evaluating whether an employer has coercively required employees to attend a meeting at which the employer expresses its views on unionization, which the Board did not apply in this case. (*See Bd. Mot. to Strike pp. 3-5.*) Amazon and its amici challenge the Board's standard on both constitutional and statutory grounds.

3. On April 25, the Court resolved a jurisdictional question it had previously raised—namely, whether the Board's Order was final, given that the Board severed and retained certain allegations for further consideration. Although the Board and Amazon agreed that the Board's Order is final and the Court has jurisdiction to review it, the Court nonetheless lacks jurisdiction to review the Board's analysis of captive-audience meetings, which does not relate to any contested portion of the Board's Order. (*See Bd. Mot. to Strike pp. 5-11.*)

4. Pursuant to the Court's April 25 Order, the Board's brief is now due May 26.

5. If the Court grants the Board’s motion to strike, the issues on appeal will be significantly narrowed. The Board’s responsive brief, the brief of intervenor Amazon Labor Union No. 1, International Brotherhood of Teamsters, and Amazon’s reply brief will not need to address the captive-audience-meeting issue. Instead, the parties will be able to focus their briefing on the portions of the Board’s Order that Amazon actually contests. (See Amazon Br. 43-54 (challenging the Board’s findings that Amazon unlawfully solicited grievances, disparately enforced its solicitation policy, and threatened an employee).) The parties’ resources will be conserved and the Court will benefit from more helpful briefing on the issues it has jurisdiction to consider.

WHEREFORE, the Board respectfully requests that the Court suspend the briefing schedule until it has resolved the Board’s motion to strike arguments the Court lacks jurisdiction to consider.

Respectfully submitted,

/s/ Ruth E. Burdick
Ruth E. Burdick
Deputy Associate General Counsel
NATIONAL LABOR RELATIONS BOARD
1015 Half Street, SE
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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that its motion contains 2399 words of proportionally spaced, 14-point type, and the word-processing system used was Microsoft Word for Office 365.

/s/ Ruth E. Burdick

Ruth E. Burdick
Deputy Associate General Counsel
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CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2025, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit by using the CM/ECF system. I certify further that the foregoing document was served on all parties or their counsel of record through the appellate CM/ECF system.

/s/ Ruth E. Burdick

Ruth E. Burdick

Deputy Associate General Counsel

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